

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

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SUSAN COURTNEY,

Plaintiff,

Case No. 19-13288-BFK

Chapter 7

Adversary Proceeding No. 19-01123-BFK

v.

GABY A. TOUMA

Defendant.

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Plaintiff's Initial Disclosures under  
Federal Rule of Civil Procedure 26(a)

1. Under Rule 26(a)(1)(A), the names, addresses and telephone numbers of each individual likely to have discoverable information that Plaintiff may use to support his claims or defenses:

A. Name: Susan Courtney  
Address: c/o Thomas R Breeden  
Thomas R. Breeden, P.C.  
10326 Lomond Drive  
Manassas VA 20109  
Telephone: (703) 361-9277

Has knowledge of all aspects of this matter

B. Name: Milan Kolenic  
400 Wynette Way  
Columbia, SC 29229  
Telephone: (803) 765-0260

Has knowledge of conversations with GN Auto, information on their website

C. The Defendant, Gaby A. Touma  
D. Representatives of GN Auto, LLC

- E. Certain Agents of Gate One Lending & Finance, including but not limited to employees and collection agents working for Gate One Lending & Finance.

2. Under Rule 26(a)(1)(A), the subjects of the discoverable information known by the above individuals:

- A. SUSAN COURTNEY: Plaintiff has knowledge of facts alleged in the pleadings, as well as her damages.
- B. Unknown Agents of Defendant: Upon receipt of Defendant's Rule 26(a) disclosures and responses to discovery, Plaintiff may learn the identity of additional agents of Defendant that may elicit testimony to be used by Plaintiff.
- C. Unknown Agents of GN Auto, LLC: Upon receipt of Defendant's Rule 26(a) disclosures and responses to discovery, Plaintiff may learn the identity of additional agents of GN Auto, LLC that may elicit testimony to be used by Plaintiff.
- D. Unknown Agents of Gate One Lending & Finance: Agents GN Auto dealt with at Gate One Lending & Finance related to the financing for Plaintiff's vehicle.
- E. Expert Testimony as Needed: Plaintiff may seek to use expert testimony, but at this time have not retained or consulted with any experts. Plaintiff will supplement this disclosure once an expert has been retained.

3. Under Rule 26(a)(1)(B), Plaintiff set forth the following categories of documents, data compilations, and tangible items in his possession, custody or control that they may use to support his claims or defenses:

- 1. Arbitration Award dated October 4, 2017
- 2. Complaint in Fairfax County Case Number 2016-12497
- 3. Courtney's Arbitration Complaint against Touma and GN Auto, LLC
- 4. Motion to impose judgment (Confirm arbitration award) filed in Fairfax County Case Number 2016-12497
- 5. Virginia Supreme Court's August 1, 2019 ruling for Record No 180643.

6. Advertisement
7. Buyers Order
8. Retail Installment Contract
9. Buyers Guide
10. Receipt for Down Payment of Vehicle
11. August 17, 2016 letter to GN Auto
12. Payoff Quote for Vehicle
13. Payment records for Vehicle
14. Insurance payments
15. Motor Vehicle Dealer Board Records related to March 15, 2017 decision on disciplinary action against Gaby Touma
16. Loudoun County General District Court Criminal Records related to Gaby Touma's June 9, 2015 convictions of violating Virginia Code §46.201542
17. Loudoun County General District Court Criminal Records related to Gaby Touma's December 13, 2016 convictions of violating Virginia Code §46.2-1544
18. All documents produced by Defendant.

4. Under Rule 26(a)(1)(C), Plaintiff produces the following computation of damages claimed, and makes available for inspection and copying under Rule 34 any non-privileged documents or other evidentiary materials on which these computations are based:

The Plaintiff seeks \$87,062.96, plus interest, as set forth in the Arbitration Award dated October 4, 2017, and for such other and further relief as this Honorable Court deems appropriate.

Dated: February 4, 2020

Respectfully served,

SUSAN COURTNEY  
By Counsel

/s/ Thomas R. Breeden  
Thomas R. Breeden, Esq. (VSB #33410)  
THOMAS R. BREEDEN, P.C.  
10326 Lomond Drive  
Manassas, Virginia 20109  
(703) 361-9277 Telephone

(703) 337-0441 Facsimile  
[trb@tbreedenlaw.com](mailto:trb@tbreedenlaw.com)  
Counsel for Plaintiff

Certificate of Service

I hereby certify that on February 4, 2020 the Initial Disclosures were served by email and via the CM/ECF system to:

Thomas K. Plofchan, Jr, Esquire  
Jacqueline A. Kramer, Esquire  
Westlake Legal Group 46175 Westlake Drive, # 320  
Sterling, Virginia 20165  
Counsel for Defendant

Janet M. Melburger  
The Melburger Law Firm, P.C.  
1493 Chain Bridge Road, Suite 201  
McLean, VA 22101-5726  
Trustee

/s/ Thomas R. Breeden  
Thomas R. Breeden